

FORM PTO-1390  
(REV 11-98)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

3815.91

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/446560  
To be assignedINTERNATIONAL APPLICATION NO.  
PCT/JP99/02154INTERNATIONAL FILING DATE  
April 22, 1999PRIORITY DATE CLAIMED  
April 23, 1998

TITLE OF INVENTION

CDMA RECEIVER AND CDMA TRANSCEIVER

APPLICANT(S) FOR DO/EO/US

Sadayuki Abeta, Mamoru Sawahashi and Fumiyuki Adachi

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.53)

INTERNATIONAL APPLICATION NO.

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17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

\$ 840

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	19 - 20 =	0	X \$18.00
Independent claims	6 - 3 =	3	X \$78.00

\$ 234

☒ MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260.00

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 1,074

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

**SUBTOTAL =**

\$ 1,074

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 1,074

Amount to be:

refunded

\$

charged

\$

a. ☒ A check in the amount of \$ 1,074 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 02-4270. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending g status.

SEND ALL CORRESPONDENCE TO:

Brown Raysman Millstein Felder & Steiner LLP  
120 West 45th Street  
New York, NY 10036

SIGNATURE:

Larry Liberchuk

NAME

40,352

REGISTRATION NUMBER

Docket No. 3815/91

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Sadayuki Abeta, et al.

Int'l. Appl. No.: PCT/JP99/02154

Int'l. Filing Date: April 22, 1999

U.S. Serial No.: To be assigned

Filing Date: Concurrently herewith

Title: CDMA RECEIVER AND CDMA TRANSCEIVER

**CERTIFICATE OF MAILING BY EXPRESS MAIL**Express Mail Label No.: EJ916884873USDate of Deposit: December 22, 1999

I hereby certify that the enclosed Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 and required documents for entry into the national phase under PCT for the identified application are being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR §1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents  
BOX PCT  
Washington, DC 20231

The following is a list of the documents submitted herewith:

- (1) Transmittal Letter to the United States Designated/Elected Office concerning a filing under 35 U.S.C. 371
- (2) Verified translation of Application (Specification-68 pages)

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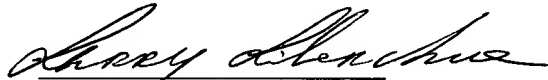
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- (3) Formal Drawings Figs. 1-23 consisting of 25 sheets
- (4) Check for \$1,074
- (5) Executed Declaration of the Inventors (4 pages)
- (6) Assignment with Recordation Cover
- (7) Check for \$40
- (8) Preliminary Amendment
- (9) A copy of Form PCT/IB/308 indicating that a copy of the International Application was submitted to the US.
- (10) Return Postcard

Respectfully submitted,

Dated: December 22, 1999

By:



Larry Liberchuk

Registration No. 40,352

Attorney for Applicants

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New York, New York 10036

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of

Sadayuki ABETA, Mamoru SAWAHASHI and Fumiyuki ADACHI

International Serial No.: PCT/JP99/02154

International filing date: April 22, 1999

For: CDMA RECEIVER AND CDMA TRANSCEIVER

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patent and Trademark  
Washington, D.C. 20231

Sir:

Masashi SHINKAI residing at c/o TANI & ABE, No. 6-20,  
Akasaka 2-chome, Minato-ku, Tokyo 107-0052, Japan,  
declares:

(1) that he knows well both the Japanese and  
English languages;

(2) that he translated the claims of the above-  
identified International Application from Japanese to  
English;

(3) that the attached English translation is a  
true and correct translation of the claims, specification  
and drawings of the above-identified International  
Application to the best of his knowledge and belief; and

(4) that all statements made of his own  
knowledge are true and that all statements made on  
information and belief are believed to be true, and further  
that these statements are made with the knowledge that  
willful false statements and the like are punishable by  
fine or imprisonment, or both, under 18 USC 1001, and that  
such false statements may jeopardize the validity of the  
application or any patent issuing thereon.

December 3, 1999

Date

*M. Shinkai*

Masashi SHINKAI